

REMARKS/ARGUMENTS

Claims **1-42** are pending in this application. According to the August 6, 2008 Office Action, claims **1-42** are rejected.

We have amended independent claims **1, 5, 9, and 26**, have amended dependent claims **3, 7, 11-16, 20, 22-25, 28-33, 37, and 39-42**, and have added new dependent claims **43-76** to recite particular embodiments that we, in our business judgment, have currently determined to be commercially desirable. We have canceled dependent claims **2, 4, 6, 8, 10, 17-19, 21, 27, 34-36, and 38**. We will pursue the subject matter of the previously presented and canceled claims in one or more continuing applications.

Accordingly, the following claims are under consideration:

- Independent claims **1, 5, 9, and 26**.
- Dependent claims **3, 7, 11-16, 20, 22-25, 28-33, 37, 39-42, and 43-76**.

I. RESPONSE TO CLAIM OBJECTIONS

At paragraphs 3-5, page 2 of the Office Action, the Examiner objects to previously presented claims **18, 23, and 40**. We respectfully submit that the claim objections are now moot in view of the cancellation of claim **18** and in view of the amendments to claims **23** and **40**.

II. RESPONSE TO OBJECTION TO THE DRAWINGS

At paragraph 6, page 3 of the Office Action, the Examiner objects to the drawings under 37 C.F.R. § 1.84 or 37 C.F.R. § 1.152 “for the labeling that occurs at the top of each page: Attorney Docket No.: 069547.0182, System and Method for Managing Relationships Between Brokers and Traders Using a Messaging Format, By: Alastair J.D. Beadle et al..”

We are unclear as to the basis for the Examiner’s objection. Specifically, 37 C.F.R. § 1.152 is directed at design drawings; however, the present application is not a design application. In addition, we draw the Examiner’s attention to 37 C.F.R. § 1.84, which states in part:

(c) *Identification of drawings*. Identifying indicia should be provided, and if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number

has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet within the top margin. ...

(g) *Margins*. The sheets must not contain frames around the sight (*i.e.*, the usable surface), but should have scan target points (*i.e.*, cross-hairs) printed on two cater-corner margin corners. Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch)

We note that each of sheets 1-9 of the drawings includes margins that are in accordance with 37 C.F.R. § 1.84(g), including a top margin of at least 2.5 cm. (1 inch). In addition, we note that in accordance with 37 C.F.R. § 1.84(c), each of sheets 1-9 includes on the front side thereof within the top margin identifying indicia, including:

- The title of the invention: System and Method for Managing Relationships Between Brokers and Traders Using a Messaging Format
- The inventor's name: Alastair J.D. Beadle et al.
- The docket number: 069547.0182

Accordingly, we are unclear as to the Examiner's objection to "the labeling that occurs at the top of each page." We respectfully request that if the Examiner wishes to maintain the objection to the drawings, the Examiner indicates how the drawings do not comply with 37 C.F.R. § 1.84 and/or 37 C.F.R. § 1.152.

III. RESPONSE TO REJECTION OF THE CLAIMS UNDER 35 U.S.C. § 103

A. Rejection of the Claims Over Gilbert in View of McGarry

At paragraphs 8-15, pages 3-11 of the Office Action, the Examiner rejects previously presented claims **1**, **3-5**, and **7-8** under 35 U.S.C. § 103(a) as being unpatentable over Gilbert et al., U.S. Patent Application Publication No. 2003/0088499 (hereinafter Gilbert), in view of McGarry et al., U.S. Patent Application Publication No. 2002/0133448 (hereinafter McGarry).

Independent claim **1** and independent claim **5** have been amended in part to include limitations similar to claims **4** and **8**, which the Examiner rejects in view of McGarry paragraphs 68 and 70. In particular, claim **1**, and similarly claim **5**, now recites in part:

receiving...from a first broker ... a request by the first broker to manage trading orders, via a trading system, on behalf of a user...;

based at least in part on receiving the request from the first broker, storing ... first data that indicates a relationship between the first broker and the user...;

receiving ... from a second broker ... a request by the second broker to manage trading orders, via the trading system, on behalf of the user...;

based at least in part on receiving the request from the second broker, storing ...second data that indicates a relationship between the second broker and the user ...;

We respectfully submit that McGarry paragraphs 68 and 70 have not been shown to disclose the above limitations of amended claims **1** and **5**. Specifically, the sending and receiving of an FYI message, as disclosed by McGarry paragraph 68, and the handing off of ownership of a Deal in Progress, as disclosed by McGarry paragraph 70, are different from, “receiving...from a first broker ... a request by the first broker to manage trading orders, via a trading system, on behalf of a user” and “based at least in part on receiving the request from the first broker, storing ... first data that indicates a relationship between the first broker and the user” (and similarly, is different from “receiving...from a second broker ...” and “based at least in part on receiving the request from the second broker, storing ... second data ...”).

Claim **1**, and similarly claim **5**, further recites in part:

based at least in part on the trading message being directed to the user, identifying ..., from at least the first and the second stored data, brokers having a relationship with the user, including identifying at least the first broker and the second broker;

In rejecting claim **1**, and similarly claim **5**, the Examiner asserts that similar limitations are disclosed by McGarry paragraph 66. We respectfully submit that a dialogue box having a default, preselected user or group of users as disclosed by McGarry paragraph 66 is different from “based at least in part on the trading message being directed to the user, identifying ..., from at least the first and the second stored data, brokers having a relationship with the user,

including identifying at least the first broker and the second broker,” and in particular, is different from “identifying ..., from at least the first and the second stored data, brokers having a relationship with the user” where the first and the second data are stored “based at least in part on receiving the request from the first broker” and “based at least in part on receiving the request from the second broker,” as recited by claim 1, and similarly claim 5.

Regarding dependent claims 3 and 7, because these claims depend from independent claims 1 and 5, the cited portions of Gilbert and McGarry have not been shown to disclose all the limitations of these claims for at least the same reasons as claims 1 and 5.

Because claims 4 and 8 have been canceled, the rejection of these claims is now moot.

B. Rejection of the Claims Over Gilbert in View of McGarry and Waelbroeck

At paragraphs 16-18, pages 11-13 of the Office Action, the Examiner rejects previously presented claims 2 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Gilbert, in view of McGarry, and in view of Waelbroeck et al., U.S. Patent No. 7,356,500 (hereinafter Waelbroeck). Because claims 2 and 6 have been canceled, the rejection of these claims is now moot.

C. Rejection of the Claims Over Gilbert in View of Reed

At paragraphs 19-29, pages 13-27 of the Office Action, the Examiner rejects previously presented claims 9, 11, 13, 19, 22, 26, 28, 30, 36, and 39 under 35 U.S.C. § 103(a) as being unpatentable over Gilbert, in view of Reed et al., U.S. Patent Application Publication No. 2005/0021836 (hereinafter Reed).

Amended independent claim 9, and similarly amended independent claim 26, recites in part:

receiving ... from a first broker ... a request by the first broker to manage trading orders, via a trading system, on behalf of a user ...;

based at least in part on receiving the request from the first broker, storing ... first data, wherein the first data:

(i) indicates a relationship between the first broker and the user... , and

(ii) indicates an association between:

(a) a connection between the computing server and

*the trading system ..., and
(b) the relationship between the first broker and the
user;*

*receiving ... from the first broker ... a trading command submitted
by the first broker on behalf of the user, the trading command
comprising information that identifies the user;*

*based at least in part on the information from the trading
command that identifies the user, identifying ... from the first data
the relationship between the first broker and the user;*

*based at least in part on the association between the connection
and the identified relationship between the first broker and the
user, identifying ... the connection from the plurality of
connections;*

In rejecting claim **9**, and similarly claim **26**, the Examiner asserts that Reed paragraph 61 discloses “*identifying ... the connection from the plurality of connections.*” We respectfully submit that Reed paragraph 61, alone or in combination with the cited portions of Gilbert, has not been shown to disclose “*identifying ... the connection from the plurality of connections*” together with the other above noted limitations of claim **9**, and similarly claim **26**.

Regarding dependent claims **11, 13, 22, 28, 30, and 39**, because these claims depend from independent claims **9** and **26**, the cited portions of Gilbert and Reed have not been shown to disclose all the limitations of these claims for at least the same reasons as claims **9** and **26**.

Because claims **19** and **36** have been canceled, the rejection of these claims is now moot.

D. Rejection of the Claims Over Gilbert in View of Reed, Waelbroeck, and McGarry

At paragraphs 30-33, pages 28-31 of the Office Action, the Examiner rejects previously presented claims **10, 21, and 27** under 35 U.S.C. § 103(a) as being unpatentable over Gilbert, in view of Reed, and in further view of Waelbroeck. At paragraphs 34-52, pages 31-49 of the Office Action, the Examiner rejects previously presented claims **12, 14-17, 20, 23-25, 29, 31-34, 37, and 40-42** under 35 U.S.C. § 103(a) as being unpatentable over Gilbert, in view of Reed, and in further view of McGarry. At paragraphs 53-54, pages 49-50 of the Office Action, the Examiner

rejects previously presented claim **38** under 35 U.S.C. § 103(a) as being unpatentable over Gilbert, in view of Reed, in further view of Waelbroeck, and in further view of McGarry. At paragraphs 55-57, pages 50-55 of the Office Action, the Examiner rejects previously presented claims **18** and **35** under 35 U.S.C. § 103(a) as being unpatentable over Gilbert, in view of Reed, in further view of Waelbroeck, and in further view of McGarry.

Because claims **12, 14-16, 20, 23-25, 29, 31-33, 37, and 40-42** depend from independent claims **9** and **26**, the cited portions of the references have not been shown to disclose all the limitations of these claims for at least the same reasons set forth above for claims **9** and **26**.

Because claims **10, 17-18, 21, 27, 34-35, and 38** have been canceled, the rejection of these claims is now moot.

IV. NEW CLAIMS

Because new dependent claims **43-76** depend from independent claims **1, 5, 9** and **26**, the cited portions of the references have not been shown to disclose all the limitations of these claims for at least the same reasons set forth above for claims **1, 5, 9** and **26**.

V. AUTHORIZATION FOR EMAIL COMMUNICATION

Recognizing that Internet communications are not secure, Applicant hereby authorizes the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicant understands that a copy of these communications will be made of record in the application file.

VI. CONCLUSION

In view of the amendments and remarks, we respectfully submit that the claims are in condition for allowance. We request that the application be passed to issue in due course. The Examiner is urged to telephone the undersigned representative at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance.

Respectfully submitted,

February 6, 2009

Date

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